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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE: UBER TECHNOLOGIES, INC.,
 PASSENGER SEXUAL ASSAULT
 LITIGATION

Case No. 3:23-md-03084-CRB (LJC)

**DEFENDANTS' OPPOSITION TO
 PLAINTIFFS' MOTION TO CHANGE TIME
 TO COMPLY WITH COURT'S ORDER
 CONCERNING NON-BONA-FIDE
 RECEIPTS**

This Document Relates to:

*Jane Doe LS 333 v. Uber Technologies, Inc., et
 al*, Case No. 3:23-cv-05930-CRB

Judge: Hon. Charles R. Breyer
 Courtroom: 6 – 17th Floor

*Jane Doe LS 397 v. Uber Technologies, Inc., et
 al*, Case No. 3:24-cv-05864-CRB

Defendants Uber Technologies, Inc., Raiser, LLC, and Raiser-CA, LLC (collectively, “Uber” or “Defendants”) respectively oppose Plaintiffs’ Motion to Change Time to Comply with Court’s Order Concerning Non-Bona Fide Receipts (ECF 3904).

ARGUMENT

The Levin Simes law firm has long known about issues with the receipts provided by *Jane Doe LS 333* (MDL ID 1194) and *Jane Doe LS 397* (MDL ID 2350). In February 2024 and September 2024, the Levin Simes firm served the non-bona-fide receipts at issue. Cotton Decl. ¶¶2-3. In May 2024 and March 2025, Uber provided Defendant Fact Sheets indicating that Uber could not locate ride receipts that correspond to these Plaintiffs’ allegations. Cotton Decl. ¶¶4-5. The non-bona-fide receipts were again discussed in a letter to the Levin Simes firm on July 22, 2025, and on a meet and confer call with the firm on July 25, 2025 – well before the current JCCP trial started. ECF 3604.

In July 2025, similar issues were raised with respect to 19 other Plaintiffs that likewise submitted non-bona-fide receipts. *Id.* Counsel for those other Plaintiffs did not dispute that the receipts submitted by their clients are inauthentic. Only Levin Simes asserted that “[b]oth Plaintiffs assure us their receipts are authentic.” ECF 3771 at 2. Levin Simes did not provide any signed declarations, from themselves or their clients, nor did they attempt to explain the discrepancies identified in Uber’s original Motion (ECF 3604). Today, over a year after Uber served the Defendant Fact Sheet for MDL ID 1194 and six months since Uber served the Defendant Fact Sheet for MDL ID 2350, and almost two months after the parties’ meet and confer call, Levin Simes has not come forward with any explanation for these non-bona-fide receipts.

On September 9, 2025, this Court ordered Plaintiffs with MDL IDs 1194 and 2350 to “(1) produce native versions of their receipts, in accordance with the parties’ agreed upon ESI Protocol (ECF 524), including all available metadata outlined in Appendix 2; (2) produce within 14 days of this Order any documents and communications relating to the production of their ride receipts, the generation of their receipts, and/or the website ‘Makereceipt.com’; and (3) submit within 30 days to a deposition not to exceed 3 hours relating to the authenticity of their receipts.” ECF 3876. The next day, on September 10, counsel for Defendants asked the Levin Simes firm to provide each Plaintiff’s availability for a deposition

1 between September 26-29 and October 6-9. *See* Cotton Decl. ¶6. The Levin Simes firm did not respond
 2 to that request, so counsel for Defendants followed up with respect to deposition scheduling on September
 3 12. *Id.* In response, the Levin Simes firm requested an extension of the deadlines set by the Court. *Id.*
 4 Defendants did not agree to the requested extension. *Id.*

5 The Defendant Fact Sheets relating to the non-bona-fide receipts were served long ago (as far back
 6 as May 2024), and the parties met and conferred back in July 2025. The Levin Simes firm has taken no
 7 action to resolve these issues over the course of that time. Defendants have proposed several deposition
 8 dates that would comply with this Court's September 9 Order, including dates after September 25, which
 9 Plaintiffs acknowledge is when the JCCP trial is scheduled to conclude. In the interim, Plaintiffs should
 10 produce the documents that the Court ordered to be produced. Bona fide ride receipts were due to be
 11 produced long ago pursuant to PTO 5. ECF 175. The trial of a JCCP case does not excuse Plaintiffs in
 12 this MDL from complying with Court orders – particularly where their actions implicate the integrity of
 13 our judicial system.

14 CONCLUSION

15 Plaintiffs with MDL IDs 1194 and 2350 have submitted non-bona-fide receipts. The JCCP trial
 16 that is scheduled to conclude on September 25, 2025, does not justify extending the deadlines set by the
 17 Court in its September 9, 2025 Order. Accordingly, Plaintiffs' Motion to Change Time to Comply with
 18 the Court's Order Concerning Non-Bona-Fide receipts should be denied.

19 Dated: September 15, 2025

20 Respectfully submitted,

21 

22 By: _____

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